

PATENT

## UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 02,252-B)

IN THE APPLICATION OF:

Cummings, et al.

Serial No. 09/886,165

Filed: June 20, 2001

Title: Dielectrophoretic Systems Without  
Embedded Electrodes

Examiner: To Be Determined

Group Art Unit: 1741

## TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Information Disclosure Statement;
  - b. Form PTO-1449;
  - c. Copy of IDS Citations 09/886,165 (2 references);
  - d. Return Receipt Postcard.
2. With respect to additional fees:

☒ No additional fee is required.
3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on October 1, 2002.

By:

Raef Shaltout

Raef Shaltout

Reg. No. 45,092McDONNELL BOEHNNEN,  
HULBERT & BERGHOFF  
300 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001RECEIVED  
OCT 9 9 2002  
TC 1700



7 To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to the undersigned.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

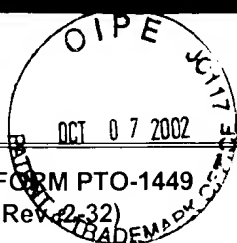
Respectfully submitted,

Dated: 10/1/02

Rae Shaltout

Rae Shaltout  
Registration No. 45,092

McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

FORM PTO-1449  
(Rev. 2-32)U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

02-252-B

Serial No.

09/886,165

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

Cummings, et al.

Filing Date:

June 20, 2001

Group:

1741

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation Yes No
1.	WO 99/33559	07/08/1999	PCT			

## OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

13.	Cummings, et al., "Dielectrophoretic Trapping Without Embedded Electrodes," Microfluidic Devices and Systems III, Proceedings of SPIE, 18-19 September 2000, Vol. 4177, pages 164-173.

RECEIVED

OCT 09 2002

TC 1700

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.